

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

MOODY NATIONAL FFI MEADOWLANDS
MT, LLC.,

Plaintiff,

v.

DANNETTA GAGER and ERROLL SMITH

Defendant.

Civil Action No.: 12-2124 (JLL)

ORDER

This matter comes before the Court by way of a motion for default judgment against Defendants Dannetta Gager and Erroll Smith (collectively “Defendants”) pursuant to Federal Rule of Civil Procedure 55(b) by Plaintiff Moody National FFI Meadowlands MT, LLC (“Moody” or “Plaintiff”). (CM/ECF No. 9). On January 24, 2012, Magistrate Judge Michael Hammer issued a Report and Recommendation that this Court grant Plaintiff’s motion solely as to liability and that the Court reserve on the issue of damages. (CM/ECF No. 10). No objections have been filed and the time to do so has expired. Having reviewed the Report and Recommendation, and for good cause shown,

IT IS on this 14 day of February, 2013,


ORDERED that this Court hereby ADOPTS Judge Hammer’s January 24, 2013 Report and Recommendation as the findings of fact and conclusions of law of this Court; and it is further

ORDERED that Plaintiff's motion for default judgment is GRANTED as to the issue of liability only. The Court reserves on the issue of damages; and it is further

ORDERED Plaintiff shall submit a brief, complete with supporting affidavits and documentation, setting forth the factual and legal basis as to why it is entitled to the specific amount of damages it seeks; and it is further

ORDERED that Plaintiff shall provide notice to Defendants including a copy of its application, and the date and time of any proof hearing before the Court.

SO ORDERED.



Jose L. Linares
United States District Judge